

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

ANDREW SASSER

PETITIONER

V.

Civil No. 00-4036

LARRY NORRIS, Director of
Arkansas Department of Corrections

RESPONDENT

SCHEDULING ORDER

On March 9, 2004, the Eighth Circuit Court remanded this case to the Court to determine whether Petitioner's mental retardation claim has been exhausted. (Doc. 44.) This Court then entered a scheduling order for the filing of an amended petition that includes a mental retardation claim. (Doc. 45). On September 3, 2004, Petitioner filed a Second Supplemental and Amended Petition that included a mental retardation claim (Doc. 48), and Respondent filed a Response (Doc. 51). Petitioner filed a Reply on February 3, 2005. (Doc. 56.) On February 13, 2006, the Court granted Petitioner's motion for leave to conduct discovery regarding his mental retardation claim. (Doc. 64.)

In order to efficiently and effectively review Petitioner's case, the Court has determined that any outstanding issues concerning the presentation of evidence on the issue of mental retardation needs to be resolved in a timely fashion. Upon due consideration, the Court orders the following briefing schedule for the completion of discovery and certain motions regarding the mental retardation claim:

* Discovery shall be completed by **July 31, 2006.**

* Motions regarding any additional information Petitioner would like the Court to consider in relation to his mental retardation claim (such as motions for leave to file a supplemental and/or amended Petition, supplement the record, and for an evidentiary hearing) must be filed by **August 31, 2006.**

Petitioner's failure to file the above mentioned motions will constitute notice to the Court that Petitioner does not intend to present additional evidence regarding his mental retardation claim.

IT IS SO ORDERED this the 14th day of June 2006.

/S/ Harry F. Barnes
HARRY F. BARNES
UNITED STATES DISTRICT JUDGE